

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA, et al.,	CASE NO.: C-1-02-107
Plaintiffs,	JUDGE S. ARTHUR SPIEGEL MAGISTRATE HOGAN
v.	RESPONSE TO KATHERINE SCHNUR'S REQUESTS FOR REVIEW
BOARD OF HAMILTON COUNTY COMMISSIONERS, et al.	
Defendants.	

The claim of attorney's fees and expenses is denied. The City and County Defendants are entitled to their attorney's fees and expenses.

The City and County Defendants ("MSD") respond to Mr. Walter Meinert's Motion for Review (Doc #201) as follows:

1. Ms. Katherine Schnur submitted a water in basement claim in May 7, 2008.
2. The MSD investigated Schnur's claim through the City of Cincinnati claims department. The Water-in-Basement Claims Administrator is Dotty Carman.
3. Ms. Carman denied the water in the basement because it was determined the back-up was caused by a problem in the owner's house lateral. (Attached Complaint MSD Form and maps demonstrating where the break occurred and location of the right-of-way attaches as exhibits A-D)
4. MSD is will repair or reconstruction of the part of a house lateral in the right of way that fails because of a broken or collapsed pipe pursuant to section 1207 of the Rules and Regulations of MSD.

Parties may access this filing through the Court's electronic system and are entitled to those parties who are not served via the Court's electronic filing system.

Nicole L. Sanders
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